

1 THE HON. JAMES L. ROBART  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 WEYERHAEUSER COMPANY, a Washington corporation,

11 Plaintiff,

12 v.

13 NOVAE SYNDICATE 2007; APOLLO  
14 LIABILITY CONSORTIUM 9984; ANV  
15 CASUALTY CONSORTIUM 9148; SCOR UK  
16 COMPANY LTD; STARSTONE SYNDICATE  
17 1301; XL CATLIN SYNDICATE 2003;  
18 ALLIANZ UNDERWRITERS INSURANCE  
19 COMPANY; HISCOX SYNDICATE 33; STAR  
20 UNDERWRITING AGENTS LTD.; LLOYD'S  
21 SYNDICATE CVS 1919,

22 Defendants.

Case No.: 2:18-cv-00585-JLR

STIPULATED MOTION TO STAY  
PROCEEDINGS AS TO DEFENDANT  
XL CATLIN SYNDICATE 2003

NOTE ON MOTION CALENDAR:  
May 21, 2018

Pursuant to Local Rule 7(d)(1), Plaintiff Weyerhaeuser Company ("Weyerhaeuser") and Defendant XL Catlin Syndicate 2003 ("Syndicate 2003") jointly request that the Court stay this action as to defendant XL Catlin Syndicate 2003 until at least August 3, 2018, as set forth below.

On April 30, 2018, Syndicate 2003 applied to the High Court of Justice of England and Wales for an injunction prohibiting Weyerhaeuser from suing Syndicate 2003 due to an arbitration clause that Syndicate 2003 asserts is part of the policy it issued to Weyerhaeuser.

STIPULATED MOTION TO STAY - 1

LAW OFFICES OF  
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1 On May 3, 2018, the High Court granted the application and issued an Interim Order enjoining  
2 Weyerhaeuser from further prosecution of this or any other lawsuit against Syndicate 2003  
3 under the policy. The Interim Order remains in effect until the return date, at which time the  
4 High Court will conduct the final hearing to determine whether to convert the Interim Order  
5 into a permanent anti-suit injunction. On May 17, 2018, Weyerhaeuser and Syndicate 2003  
6 signed a Consent Order in the UK proceeding, setting a return date for the final hearing on July  
7 27, 2018. In the Consent Order, Weyerhaeuser and Syndicate 2003 further stipulated that the  
8 Interim Order will remain in effect until that date.

9 Syndicate 2003 was served by mail in this action on April 25, 2018. Accordingly, the  
10 current deadline for Syndicate 2003 to respond to the Complaint in this action is May 21,  
11 2018.

12 Weyerhaeuser and Syndicate 2003 request a stay of these proceedings as to Syndicate  
13 2003 until at least August 3, 2018. On that date, the parties will provide a report to the Court  
14 regarding the outcome or status of the UK proceedings and the parties' positions regarding a  
15 further stay or dismissal of the action.

16 Weyerhaeuser and Syndicate 2003 further agree that the deadline for Syndicate 2003 to  
17 answer or otherwise respond to the Complaint in this action is extended until 28 days  
18 following termination of the stay.

19 DATED this 21<sup>st</sup> day of May, 2018.

20 GORDON TILDEN THOMAS &  
21 CORDELL, LLP

22 /s/ Franklin D. Cordell (With Permission)  
23 Franklin D. Cordell, WSBA No. 26392  
24 Michael P. Brown, WSBA No. 45618  
25 Greg D. Pendleton, WSBA No. 38361  
Brendan Winslow-Nason, WSBA No. 39328  
26 Attorneys for Plaintiff Weyerhaeuser

DATED this 21<sup>st</sup> day of May, 2018.

COZEN O'CONNOR



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Jodi A. McDougall, WSBA No. 22060  
Jonathan Toren, WSBA No. 46896  
Attorneys for Defendant XL Catlin Syndicate  
2003

STIPULATED MOTION TO STAY - 2

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1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on May 21, 2018, I electronically filed the foregoing document  
3                   with the Clerk of the Court using the CM/ECF system which will send notification of such  
4                   filing to all parties of record.

5                   DATED this 21<sup>st</sup> day of May, 2018.

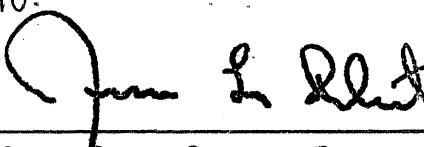
6                   COZEN O'CONNOR

7                   By: /s/ Bonnie L. Buckner  
8                   Bonnie L. Buckner, Legal Secretary

9                   **ORDER**

10                  IT IS SO ORDERED.

11                  Dated this 21<sup>st</sup> day of May, 2019.

12                    
13                  JAMES L. ROBART  
14                  United States District Judge

15                  STIPULATED MOTION TO STAY - 3

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17                  LAW OFFICES OF  
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